

22 Sep 2000 15:11

MS BRJ SBANE

No. 5700 P. 5/7

**PATENT**

Dock t No. 11712/2

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**WIDE AREA REAL-TIME SOFTWARE ENVIRONMENT**

the specification of which is attached hereto unless the following is entered:

was filed on	as United States Application Number or PCT International Application Number	and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR '1.56.

**PRIOR FOREIGN APPLICATION(S)**

I hereby claim foreign priority benefits under 35 USC '119(a-d) or '365(b) of any foreign application(s) for patent or inventor's certificate, or '365(e) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application(s) for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application Number	Country	Filing Date (day/month/year)	Priority Not Claimed

**PROVISIONAL APPLICATION(S)**

I hereby claim the benefit under 35 USC '119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date

**PRIOR UNITED STATES APPLICATION(S)**

I hereby claim the benefit under 35 USC '120 of any United States application(s), or '365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC '112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR '1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application Number	Filing Date	Status (patented, pending, abandoned)

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Shawn W. O' Dowd (Reg. No. 34,687) of KENYON & KENYON with offices located at One Broadway, New York, NY, 10004-1050, telephone (212) 425-7200, and at 333 W. San Carlos Street, Suite 600, San Jose, CA, 95110-2711, telephone (408) 975-7500.

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No. 5700 P. 7/7

**PATENT****D cket N . 11712/2****DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION (Cont.)****Direct tel ph ne calls to:**SHAWN W. O'DOWD  
(408) 975-7500**Send correspondence t :**KENYON & KENYON  
333 W. San Carlos, Street, Suite 600  
San Jose, CA 95110-2711

I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

<b>Full name of first or sole inventor</b>	<b>Last Name</b> LANE	<b>First Name</b> GREG	<b>Middle Name</b>
<b>Residence</b>	<b>City</b> NEW FARM	<b>State or Country</b> QUEENSLAND	<b>Country of Citizenship</b> AUSTRALIA
<b>Post Office Address</b>	<b>Street</b> 768 BRUNSWICK STREET, APT. 19	<b>City</b> NEW FARM	<b>State or Country &amp; Zip Code</b> QLD 4005, AUSTRALIA
<b>Signature</b> 		<b>Date</b> 2/9/00	

<b>Full name of second inventor</b>	<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
<b>Residence</b>	<b>City</b>	<b>State or Country</b>	<b>Country of Citizenship</b>
<b>Post Office Address</b>	<b>Street</b>	<b>City</b>	<b>State or Country &amp; Zip Code</b>
<b>Signature</b>		<b>Date</b>	

<b>Full name of third inventor</b>	<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
<b>Residence</b>	<b>City</b>	<b>State or Country</b>	<b>Country of Citizenship</b>
<b>Post Office Address</b>	<b>Street</b>	<b>City</b>	<b>State or Country &amp; Zip Code</b>
<b>Signature</b>		<b>Date</b>	

<b>Full name of fourth inventor</b>	<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
<b>Residence</b>	<b>City</b>	<b>State or Country</b>	<b>Country of Citizenship</b>
<b>Post Office Address</b>	<b>Street</b>	<b>City</b>	<b>State or Country &amp; Zip Code</b>
<b>Signature</b>		<b>Date</b>	

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No. 5700 P. 5/7

Practitioner's Docket No. 11712/2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: GREG LANE

Application No.:

Filed on:

Title: **WIDE AREA REAL-TIME SOFTWARE ENVIRONMENT  
STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b)) INDEPENDENT INVENTOR**

As a below named inventor, I hereby state that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in the application identified above.


I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

FULL NAME	AURAN HOLDINGS PTY LTD.
ADDRESS	LEVEL D AUSTRALIAN ESTATES CO. BUILDING 24 MACQUARIE STREET TENERIFFE, QLD 4005 AUSTRALIA SMALL BUSINESS CONCERN

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

GREG LANE

  
 \_\_\_\_\_  
 Signature of Inventor

Date

21/9/00

BRISBANE/0281787.01

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No. 5700 P. 3/7

Practitioner's Docket No. 11712/2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: GREG LANE

Application No.:

Filed on:

Title: WIDE AREA REAL-TIME SOFTWARE ENVIRONMENT

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b))—SMALL BUSINESS CONCERN

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

AURAN HOLDINGS PTY LTD  
LEVEL D  
AUSTRALIAN ESTATES CO. BUILDING  
24 MACQUEARIE STREET  
TENERIFFE, QLD 4005  
AUSTRALIA

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in the application identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each such person, concern or organization having any rights in the invention is listed below:

BRISBANE/0281788.01

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MSJ BRISBANE

No. 5700 P. 4/7

FULL NAME AURAN HOLDINGS PTY LTD  
LEVEL D  
AUSTRALIAN ESTATES CO. BUILDING  
24 MACQUEARIE STREET  
TENERIFFE, QLD 4005  
AUSTRALIA

## SMALL BUSINESS CONCERN

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b))

  
Graham Edelsten  
SIGNATURE

21/09/00  
Date

CFO - Brisbane.  
TITLE

005260-6469360